

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT E. LEE,

Plaintiff,

CIVIL ACTION NO. 05-CV-60238-AA

vs.

DISTRICT JUDGE JOHN CORBETT O'MEARA

KARLA MCDONALD,

MAGISTRATE JUDGE MONA K. MAJZOUB

Defendant.

_____/

ORDER DENYING PLAINTIFF'S MOTION TO REPLACE COUNSEL

This matter is before the Court on Plaintiff's Motion to Replace Counsel filed on March 21, 2007. (Docket no. 58). Plaintiff's present counsel, Mr. Manville, has responded to the motion. (Docket no. 59). The motion is before the Court for ruling pursuant to 28 U.S.C. § 636(b)(1)(A). (Docket no. 4). The Court finds that the facts and legal arguments are adequately presented in the parties' papers and the decisional process would not be significantly aided by oral argument. Therefore, this motion will be resolved without oral argument pursuant to E.D. Mich. LR 7.1(e)(2).

This Court appointed Counsel Manville to represent Plaintiff on May 22, 2006. (Docket no. 24). Counsel has filed an amended Complaint and successfully defended against a motion to dismiss. Plaintiff alleges in the present motion that there has been a breakdown of communication between Counsel Manville and himself without providing any supporting facts. In a previous letter to the Court, Plaintiff gave more details about his relationship with Counsel Manville. (Docket no. 57). However, the Court finds that even in that letter Plaintiff fails to show good cause for substitution of counsel. The Court notes that Plaintiff is not seeking to represent himself. Rather, he wishes to have different counsel appointed for him.

IT IS THEREFORE ORDERED that Plaintiff's Motion to Replace Counsel (docket no. 58) is **DENIED**.

NOTICE TO PARTIES

Pursuant to Fed. R. Civ. P. 72(a), the parties have a period of ten days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. 636(b)(1).

Dated: April 02, 2007

s/ Mona K. Majzoub
MONA K. MAJZOUB
UNITED STATES MAGISTRATE JUDGE

PROOF OF SERVICE

I hereby certify that a copy of this Order was served upon Robert E. Lee and Counsel of Record on this date.

Dated: April 02, 2007

s/ Lisa C. Bartlett
Courtroom Deputy